

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8287 of 2020

1. Hemraj Dhurve S/o Late Aatmaram Dhurve Aged About 26 Years Caste Gond, R/o Village Lamanibhata, Police Station And Tahsil Dongargarh Distt. Rajnandgaon, Chhattisgarh

---- Applicant

Versus

1. State Of Chhattisgarh Through P.S. Dongargarh District Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	Mr. F.S. Khare, Advocate
For Respondent /State	Mr. Rajendra Tripathi, Panel Lawyer

Hon'ble Mr. Justice Prashant Kumar Mishra

Order on Board

11/2/2021

1. Heard.
2. The applicant has preferred this first bail application under Section 439 of the Cr.P.C. for grant of bail as he has been arrested in connection with Crime No.430/2020, registered at Police Station Dongargarh, Dist. Rajnandgaon (CG), for the offence under Sections 376 & 506 of the Indian Penal Code.
3. Applicant and the prosecutrix virtually had a sexual affair from November, 2019. In the meanwhile, she became pregnant and gave birth to baby girl on 13-8-2020 and

subsequently, in a village meeting the applicant promise to own the prosecutrix and the child as well. The newly born child died on 15-8-2020 whereafter the applicant refused to own the prosecutrix. The present FIR was lodged on 24-9-2020.

4. Learned counsel for the State, *per contra*, would oppose the bail application.
5. Considering the age of the prosecutrix, their affair for almost a year and for the fact that the applicant is in jail since 22-9-2020 and the charge sheet has already been filed, I am of the opinion that present is a fit case to release the applicant on regular bail.
6. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.
7. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)
Judge

Gowri